



General Assembly

January Session, 2003

**Amendment**

LCO No. 5056

\*HB0537105056SR0\*

Offered by:

SEN. SMITH, 14<sup>th</sup> Dist.

SEN. DELUCA, 32<sup>nd</sup> Dist.

SEN. ANISKOVICH, 12<sup>th</sup> Dist.

SEN. FASANO, 34<sup>th</sup> Dist.

To: Subst. House Bill No. 5371

File No. 315

Cal. No. 185

**"AN ACT CONCERNING ELIGIBILITY FOR MORTGAGE  
FINANCING FOR INDIVIDUALS SERVING IN THE MILITARY  
RESERVES OR THE NATIONAL GUARD."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) (a) A person is guilty of  
4 intimidation of a member of the armed forces in the first degree when  
5 such person maliciously, and with specific intent to intimidate or  
6 harass another person because of the actual or perceived membership  
7 in the armed forces of the United States of such other person, causes  
8 serious physical injury to such other person or to a third person.

9 (b) Intimidation of a member of the armed forces in the first degree  
10 is a class C felony.

11 Sec. 502. (NEW) (*Effective from passage*) (a) A person is guilty of

12 intimidation of a member of the armed forces in the second degree  
13 when such person maliciously, and with specific intent to intimidate or  
14 harass another person because of the actual or perceived membership  
15 in the armed forces of the United States of such other person, does any  
16 of the following: (1) Causes physical contact with such other person,  
17 (2) damages, destroys or defaces any real or personal property of such  
18 other person, or (3) threatens, by word or act, to do an act described in  
19 subdivision (1) or (2) of this subsection, if there is reasonable cause to  
20 believe that an act described in subdivision (1) or (2) of this subsection  
21 will occur.

22 (b) Intimidation of a member of the armed forces in the second  
23 degree is a class D felony.

24 Sec. 503. (NEW) (*Effective from passage*) (a) A person is guilty of  
25 intimidation of a member of the armed forces in the third degree  
26 when such person, with specific intent to intimidate or harass another  
27 person or group of persons because of the actual or perceived  
28 membership in the armed forces of the United States of such other  
29 person or persons: (1) Damages, destroys or defaces any real or  
30 personal property, or (2) threatens, by word or act, to do an act  
31 described in subdivision (1) of this subsection or advocates or urges  
32 another person to do an act described in subdivision (1) of this  
33 subsection, if there is reasonable cause to believe that an act described  
34 in said subdivision will occur.

35 (b) Intimidation of a member of the armed forces in the third  
36 degree is a class A misdemeanor.

37 Sec. 504. (NEW) (a) (*Effective from passage*) A persistent offender of  
38 crimes involving intimidation of a member of the armed forces is a  
39 person who (1) stands convicted of a violation of section 501, 502 or  
40 503 of this act, and (2) has been, prior to the commission of the present  
41 crime, convicted of a violation of any of said section 501, 502 or 503.

42 (b) When any person has been found to be a persistent offender of  
43 crimes involving intimidation of a member of the armed services, and

44 the court is of the opinion that such person's history and character and  
45 the nature and circumstances of such person's criminal conduct  
46 indicate that an increased penalty will best serve the public interest,  
47 the court shall: (1) In lieu of imposing the sentence authorized for the  
48 crime under section 53a-35a of the general statutes if the crime is a  
49 felony, impose the sentence of imprisonment authorized by said  
50 section for the next more serious degree of felony, or (2) in lieu of  
51 imposing the sentence authorized for the crime under section 53a-36 of  
52 the general statutes if the crime is a misdemeanor, impose the sentence  
53 of imprisonment authorized by said section for the next more serious  
54 degree of misdemeanor, except that if the crime is a class A  
55 misdemeanor the court shall impose the sentence of imprisonment for  
56 a class D felony as authorized by section 53a-35a of the general  
57 statutes."